

CEDAR COUNTY

ORDINANCE NO. 2

PROHIBITING UNFAIR AND DISCRIMINATORY HOUSING PRACTICES

SECTION #1

PURPOSE

The purpose of this ordinance is to provide for the general welfare of the citizens of Cedar County, Iowa by declaring discriminatory practices in housing to be against public policy, and to provide a procedure for the enforcement of this ordinance.

SECTION #2

UNFAIR OR DISCRIMINATORY PRACTICES.

It shall be an unfair or discriminatory practice for any owner, or person acting for an owner, of rights to housing or real property, with or without compensation, including but not limited to persons licensed as real estate brokers or salesmen, attorneys, auctioneers, agents or representatives by power of attorney or appointment, or any person acting under court order, deed of trust, or will:

1. To refuse to sell, rent, lease, assign or sublease any real property or housing accommodation or part, portion or interest therein, to any person because of the race, color, creed, sex, religion, national origin, age or disability of such person.
2. To discriminate against any person because of his race, color, creed, sex, religion, national origin, age or disability, in the terms, conditions or privileges of the sale, rental, lease assignment or sub-lease of any real property or housing accommodation or any part, portion or interest therein.
3. To directly or indirectly advertise, or in any other manner indicate or publicize that the purchase, rental, lease, assignment, or sublease of any real property or housing accommodation or any part, portion or interest therein, by persons of any particular race, color, creed, sex, religion, national origin, age or disability is unwelcome, objectionable, not acceptable or not solicited.
4. To discriminate against the lessee or purchaser of any real property or housing accommodation or part, portion or interest of the real property or housing accommodation, or against any prospective lessee or purchaser of the property or accommodation, because of the race, color, creed, religion, sex, disability, age or national origin of persons who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity.

IT SHALL BE AN UNFAIR OR DISCRIMINATORY PRACTICE FOR ANY:

bank, savings & loan association, insurance co. or similar institution to refuse to loan or extend credit or to impose terms or conditions for home loans more onerous than those regularly extended to persons of similar economic backgrounds for home loans, because of age, color, creed, national origin, race, religion, marital status, sex or physical disability.

SECTION #3

AIDING OR ABETTING

It shall be an unfair or discriminatory practice for:

- a. Any person to intentionally aid, abet, compel, or coerce another person to engage in any of the practices declared unfair or discriminatory by this ordinance.
- b. Any person to discriminate against another person in any of the rights protected against discrimination on the basis of age, race, creed, color, sex, national origin, religion or disability by this ordinance because such person has lawfully opposed any practice forbidden under this ordinance, obeys the provisions of this ordinance, or has filed a complaint, testified or assisted

in any proceeding under this ordinance.

SECTION #4

EXCEPTIONS

The provisions of Section #2 shall not apply to:

- a. Any bona fide religious institution with respect to any qualifications it may impose based on religion, when such qualifications are related to a bona fide religious purpose.
- b. The rental or leasing of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of his family reside in one of such housing accommodations.
- c. The rental or leasing of less than six rooms within a single housing accommodation by the occupant or owner of such housing accommodation, if he or members of his family reside therein.
- d. Restrictions based on sex on the rental or leasing of housing accommodations by nonprofit corporations.
- e. The rental or leasing of a housing accommodation within which residents of both sexes must share a common bathroom facility on the same floor of the building.

SECTION #5

COMPLAINTS FILED

The following procedure is available: to persons claiming to be aggrieved by discriminatory or unfair practices;

- a. Any person claiming to be aggrieved by a discriminatory or unfair practice within the county may, by himself or through his attorney, make, sign and file a verified written charge of discriminatory practice with the Equal Opportunity Officer of Cedar County, Iowa, within 60 days of the alleged discriminatory act.
- b. After the filing of a verified charge, the Equal Opportunity Officer shall make a prompt investigation and if such officer determines probable cause exists regarding the allegations of the charge, such officer shall promptly endeavor to eliminate the discriminatory or unfair practice by conference, conciliation, and persuasion. If the Equal Opportunity Officer is unable to achieve compliance within 30 days of the filing of the charge, he shall notify the complaining party of same.
- c. Nothing in this ordinance shall be construed as requiring or precluding any person claiming to be aggrieved by a discriminatory practice from utilizing alternative remedies that may be available to such person.